IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

MONDAY THE TENTH DAY OF NOVEMBER,
TWO THOUSAND AND THREE

: PRESENT :

THE HON'BLE MR. JUSTICE: V. V. S. RAO

W.P. No. 23517 OF 2003

Between:

1. S.Naga Malleswara Rao.
2. B. Basivi Reddy.
3. Dhanja Naik.
4. G.Sathyanarayana.
5. Ch. Subba Rao.
6. B. Venkaiah.
7. R. Sitarmai Reddy.
8. A. Venkaiah.

(All are Residing at Guntur Districts, are Agriculturists)

Petitioners

AND

1. The Implementation Secretariat, Public Enterprises (an Autonomous Body of Government of A.P.) Department, Govt. of A. P., A. P. Secretariat, Hyderabad.
2. Jeypore Sugar Co., Ltd., Chagallu, W. G. District, rep. by Managing Director.
3. N. V. R. Co-operative Sugars Ltd., Jampani, Guntru District, rep. by Managing Director.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed therewith, the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus, declaring the action of 1st respondent in not finalizing the pending claims for reimbursement from 2nd respondent, pursuant to the termination of sale cum purchase Agreement dated 25-12-2002 as illegal, amounts to refusing to exercise the Jurisdiction vested in1st respondent and results in unjust enrichment to 2nd respondent and consequently direct the 1st respondent not to release 1/4th bid amount to 2nd respondent till the decisions are taken and implemented according to law.

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments Mr. S. V. Bhatt, Advocate for the petitioners and the Asst. Govt. Pleader for Industries on behalf of the Respondent No. 1.

THE COURT MADE THE FOLLOWING:

ORDER:

"Learned Asst. Govt. Pleader for Industries taken notice for respondent No. 1 and seeks time to get instructions.

Counsel for the petitioners is permitted to take notice to respondents 2 and 3 to file proof of service.

Post the writ petition for admission on 17-11-2003.

Meanwhile, there shall be status quo as on today."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Implementation Secretariat, Public Enterprises (an Autonomous Body of Government of A.P.) Department, Govt. of A. P., A. P. Secretariat, Hyderabad.
2. The Managing Director, Jeypore Sugar Co., Ltd., Chagallu, W. G. District.
3. The Managing Director, N. V. R. Co-operative Sugars Ltd., Jampani, Guntru District.
4. One Spare copy.
5. Two CCs to the Govt. Pleader for Industries, High Court of A.P., Hyderabad.(OUT)
6. One CC to Mr. S. V. Bhatt, Advocate (OPUC)

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